

Cornell Knight

From: Nass, Jonathan <Jonathan.Nass@maine.gov>
Sent: Monday, June 05, 2017 10:50 AM
To: Cornell Knight (manager@barharbormaine.gov); Paul Paradis (pparadisbh@gmail.com)
Cc: Henshaw, John H; Kemmerle, Toni; Smith, Jennifer M; Pulver, Theresa
Subject: MaineDOT funds

Cornell,

This message is being sent in response to your request that the Department weigh in on the letter recently sent to the Bar Harbor Town Council by Attorney Arthur J. Greif, in which he implies that MaineDOT has, or intends to, improperly apply bond money to the purchase and/or sale activities affecting the Bar Harbor Ferry Terminal property. While this office is disinclined to respond directly to a letter that was not addressed to the Department, we would like to clarify, for the Town's information, that the property was not purchased using funds obtained from the sale of transportation bonds.

The purchase price was funded exclusively through the use of the Department's Multimodal Transportation Fund established in accordance with 23 M.R.S. 4210-B. By law, such funds "must be used for the purposes of purchasing, operating, maintaining, improving, repairing, constructing and managing the assets of multimodal forms of transportation, including, but not limited to, transit, aeronautics, marine and rail, of the State, municipalities and multimodal providers."

In the event that upcoming town actions preclude the possibility of putting the property to such authorized use, the Governor, on the Department's recommendation, is authorized by 23 M.R.S. § 61 to "sell and convey on behalf of the State the interests of the State in property taken or acquired by purchase for transportation purposes and deemed no longer necessary for those purposes." The proceeds from any such sale will be deposited back into the Multimodal Transportation Fund and expended accordingly.

I hope that sharing these facts will assist the town in responding to any misinformation that may be presented to your council.

Jon Nass
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MaineDOT
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